

UNITED STATES DISTRICT COURT
for
Middle District of Pennsylvania/Williamsport

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Thomas Edmond Whaley, Jr. **Case Number:** 4:06-CR-097
Name of Sentencing Judicial Officer: The Honorable Adalberto Jordan, U.S. District Judge*
Date of Original Sentence: March 17, 2003
Original Offense: Importation of 500 grams or More of Cocaine Into the United States ,
21 U.S.C. 952 (a)
Original Sentence: Thirty-three months imprisonment, three years supervised release
Type of Supervision: Supervised Release **Date Supervision Commenced:** October 8, 2004

* On March 10, 2006, U.S. District Judge John E. Jones III accepted jurisdiction of this case.

PETITIONING THE COURT

☒ To issue a summons

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
General Condition	"The defendant shall not commit another federal, state, or local crime."
Standard Condition #8	"The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered."
Standard Condition #9	"The defendant shall not associate with anyone involved in criminal activity and shall not associated with any person convicted of a felony, unless given permission to do so by the probation officer."

Sometime between February 6, 2006, and February 17, 2006, while at a residence located at 608 Walnut Street in Williamsport, Pennsylvania, Mr. Whaley exchanged money between one party and another knowing the money was being exchanged for the sale of cocaine. On February 21, 2006, he provided a written statement admitting to these facts.

Standard Condition
#2

“The defendant shall report to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month.”

Mr. Whaley failed to submit written monthly reports within the first five days of each month for October, November, and December of 2005, and January of 2006. He failed to report for scheduled office visits on February 3, 10, 13, 17, and 28, 2006.

Standard Condition
#6

“The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.”

On about August 6, 2005, the offender moved to another residence and did not notify the probation officer. His whereabouts were unknown until August 25, 2005.

On about February 6, 2006, Mr. Whaley moved from his reported address and did not notify the probation officer. His whereabouts were unknown until February 18, 2006. On February 21, 2006, he provided a written statement admitting to this violation.

The defendant failed to report to his employer on February 8, 2006, and did not report after that time. He failed to notify the probation officer of his change in employment status.

Standard Condition
#7

“You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to said substance, except as prescribed by a physician.”

Mr. Whaley provided a written statement admitting that he used cocaine on September 1, 2005, September 4, 2005, and February 17, 2006.

U.S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 10, 2006



Mark Kehler
U.S. Probation Officer

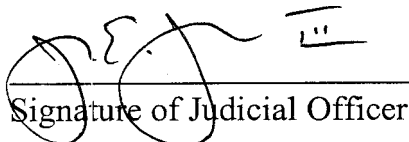
THE COURT ORDERS:

☐ No action

☐ The issuance of a warrant, to be lodged as a detainer and executed following disposition of local charges.

☒ The issuance of a summons.

☐ Other



Signature of Judicial Officer

3-19-06
Date